

Minutes
Air Pollution Control Board
Indiana Government Center South
Conference Rooms 4&5
402 West Washington Street
Indianapolis, Indiana

April 13, 2000
1:00 p.m.

1. John Walker, Chairman, called the meeting to order. He noted that a quorum was present.

CALL TO ORDER
QUORUM

2. Chairman Walker introduced the board members.

INTRODUCTION OF
MEMBERS

Present: John Walker, Chairman
Tom Anderson
John Bacone, Proxy, Department of Natural Resources
Howard Cundiff, Proxy, State Board of Health
George Ewing
Chris Horn
Melanie Darke, Proxy, Lieutenant Governor
Randy Staley
Dr. James Miner
Rachel McGeever, Legal Counsel
Tom Rarick, Technical Secretary

Absent: Jeff Bowe
Marlow Harmon

Staff members present were Tim Method, Deputy Commissioner; Janet McCabe, Assistant Commissioner; and Kathy Watson, Branch Chief. Others are recorded on a separate sheet and made a part of this record. A Court Reporter was present and a transcript is available for review.

3. Mr. Method reported on the sunset rulemaking, the readoption of state rules every seven years. Notice was published in the March 1st Indiana Register. The comment period has been formally extended through the end of May. A public informational meeting will be held May 11 in Room 1319, IGCN.

REPORTS

Mr. Anderson asked about the sunset rule readoption process and if normal rulemaking procedures would apply to amended sunset rules. Mr. Method answered that if the department received comments, such as a suggested amendment, during the first notice period that the rulemaking process would be initiated.

Mr. Method mentioned the brochures handed out to the board for the Governor's Environmental Conference and encouraged participation.

Ms. McCabe updated the board on the nitrogen oxides (NO_x) rules. Preliminary adoption of the NO_x rules was removed from today's agenda because the federal court upheld the NO_x SIP Call and that decision created a lot of questions about this rulemaking. U.S. EPA has said it would be pulling together answers to basic questions in the mid-April time frame. The department should have more information on the NO_x rulemaking by the next board meeting.

Ms. McCabe update the board on the 8-hour ozone standard. The deadline for the 8-hour ozone standard attainment designation is June 2000. The department is questioning implications for designated nonattainment areas under the 8-hour standard. Within the last week, U.S. EPA issued some guidance on the process and the schedule it will use to designate areas. Copies are not available at this meeting, but they are available electronically. By the end of June 2000, U.S. EPA wants recommendations from the states on areas that should be included as 8-hour nonattainment areas. U.S. EPA will then make a formal proposal by early fall for public comment. Designations are expected to be finalized by the end of this year. Effective dates, however, will be determined at a later time.

Mr. Anderson asked about the transportation plan. It was his understanding that INDOT was not subject to the delay for the designation and they would, for example in La Porte County, have to do conformity. Ms. McCabe said that conformity would not occur until a formal designation was made and effective.

Ms. Wendy Hoffspiegel, IDEM's legislative coordinator, gave an overview of the year 2000 legislative session. She highlighted HEA 1343, criminal fines for environmental offenses, and air pollution permitting exemptions; and SCR 34, merchant power plants. Ms. Hoffspiegel also mentioned the agency legislative web site located at: www.state.in.us/idem/busleg/.

Mr. Dave Parry and Mr. Jeff Zickgraf demonstrated IDEM's on-line permit guide that became available mid-February.

Ms. Pam O'Rourke and Mr. Patrick Burton demonstrated IDEM's on-line Pollution Complaint Clearinghouse that provides information to the public and allows the agency to respond to citizen complaints. A complaint form is available on-line and can be submitted electronically. The clearinghouse can be accessed through IDEM's home page.

4. Chairman Walker introduced Exhibit 1, draft rule 326 IAC 6-1-10.1, particulate matter emissions at Cerestar USA, incorporated, Lake County, into the record of the hearing.

Ms. Watson commented on the rule. Cerestar USA is a corn processing plant located in Hammond, Indiana. The facility has PM₁₀ limits listed in the State Implementation Plan. Through a plant modernization, Cerestar USA will have a net decrease of 48 tons per year of particulate emissions. This rule incorporates these changes as well as revises how the short-term emission limit is expressed. The rule is being changed to eliminate the weight variable due to wetness of the material.

**CONSIDERATION OF
PRELIMINARY
ADOPTION OF
AMENDMENTS TO
326 IAC 6-1-10.1,
Particulate Matter
Emissions at Cerestar
USA, Incorporated,
Lake County**

Mr. Ewing asked what the total emissions per year for the plant were. Mr. Bob Marshall, Cerestar USA, answered that emissions are around 330 tons per year. Mr. Ewing noted it was roughly a 15% decrease.

Mr. Bob Marshall, Environmental Director, Cerestar USA, wished to thank the board, IDEM and staff member Ms. Jean Beauchamp for their help and support throughout the rulemaking process.

Mr. Anderson moved to preliminary adopt amendments to rule 326 IAC 6-1-10.1. Mr. Cundiff seconded. The motion passed unanimously.

5. Mr. George Ewing, representing the general public, announced his resignation from the board.

**RESIGNATION OF
BOARD MEMBER**

6. The next meeting will be on Wednesday, May 3, at 1:00 p.m., in the Conference Center, Room B, Indiana Government Center South, Indianapolis, Indiana.

NEXT MEETING

7. Chairman Walker adjourned the meeting at 3:24 p.m.

ADJOURNMENT

John Walker, Chairman

Thomas Rarick, Technical Secretary